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Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No.: 01/162
)	
ALAN SCHWARTZ,)	STIPULATION, DECISION AND
)	ORDER
)	
)	
Respondent.)	
)	

Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondent Alan Schwartz hereby agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.


Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to

1 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a
2 hearing officer.

3 It is further stipulated and agreed that Respondent committed 30 violations of the Political
4 Reform Act, by aiding and abetting in making contributions on behalf of another without disclosing the
5 true source of the contributions, in violation of section 84302 of the Government Code, as described in
6 Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein.
7 Exhibit 1 is a true and accurate summary of the facts in this matter.

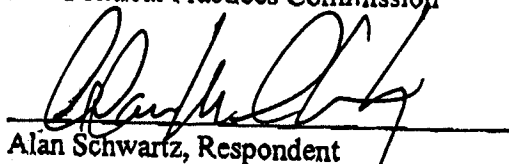
8 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
9 Respondent also agrees to the Commission imposing on him an administrative penalty in the amount of
10 fifty-eight thousand dollars (\$58,000). A cashier's check from Respondent in said amount, made
11 payable to the "General Fund of the State of California," is submitted with this Stipulation as full
12 payment of the administrative penalty, and shall be held by the State of California until the Commission
13 issues its Decision and Order regarding this matter. The parties agree that in the event the Commission
14 refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days
15 after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent
16 in connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates
17 and agrees that in the event the Commission rejects the Stipulation and a full evidentiary hearing before
18 the Commission becomes necessary, neither any member of the Commission, nor the Executive
19 Director, shall be disqualified because of prior consideration of this Stipulation.

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21 Dated: 11/26/02



Mark Krausse, Executive Director
Fair Political Practices Commission

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24 Dated: 11/5/02



Alan Schwartz, Respondent

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27 Dated: 11/1/02



Corey A. Rubin, Brand & Frulla, Attorneys for Respondent

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Alan Schwartz, FPPC No. 01/162,”
3 including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political
4 Practices Commission, effective upon execution below by the Chairman.

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6 IT IS SO ORDERED.

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8 Dated: _____

9 Karen A. Getman, Chairman
10 Fair Political Practices Commission
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